

**IN THE UNITED STATES DISTRICT COURT  
FOR THE MIDDLE DISTRICT OF ALABAMA  
NORTHERN DIVISION**

WILLIE MCNAIR, )  
                        )  
Plaintiff/Counter-Defendant, )  
                        )  
v.                       ) No. 2:06-cv-00695-WKW-CSC  
                        )  
RICHARD ALLEN, Commissioner, )  
Alabama Department of         )  
Corrections, et al.,         )  
                        )  
Defendants/Counter-Plaintiffs. )

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JAMES CALLAHAN,         )  
                        )  
Plaintiff/Counter-Defendant, )  
                        )  
v.                       ) No. 2:06-cv-00919-WKW-CSC  
                        )  
RICHARD ALLEN, et al.,     )  
                        )  
Defendants/Counter-Plaintiffs. )

**NOTICE OF DEPOSITION**

PLEASE TAKE NOTICE that Defendant will take the deposition of **Dr. Mark Heath** upon oral examination on **Sunday, September 23, 2007** beginning at **10:00 (EST)** at the Office of White & Case, 1155 Avenue of the Americas, New York, NY 10036, and shall continue from time to time until completed. This deposition shall be conducted before a Notary Public, Court Reporter, or other officer authorized by law to administer oaths. This deposition will be taken for the purpose of discovery, for use as evidence in the hearing of this action, and/or for other purposes as provided by the applicable Federal Rules of Civil Procedure.

Respectfully submitted,

**TROY KING (KIN047)**  
**ATTORNEY GENERAL**  
**BY:**

**s/ James W. Davis**  
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**CERTIFICATE OF SERVICE**

I hereby certify that on the 18<sup>th</sup> day of September, 2007, I electronically filed the foregoing with the Clerk of the Court using the CM/ECF system which will send electronic notification of such filing to the following:

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